

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

KELLY W. HANCE,)	
)	
Plaintiff,)	
)	
v.)	No. 3:04-CV-160
)	(Phillips)
NORFOLK S. RAILWAY CO., <i>et al.</i>,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by United States Magistrate Judge H. Bruce Guyton [Doc. 151]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b).

After a careful review of this matter, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 151] under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b). The Court is in complete agreement with the magistrate judge’s conclusion that Plaintiff’s counsel be awarded attorney fees and expenses in the amount of **\$1,830.00**. Accordingly, for the reasons stated in the R&R [Doc. 151], which the Court adopts and incorporates into its ruling, Mr. Gregory Stayart is **ORDERED** to pay Plaintiff’s counsel attorney fees and expenses in the amount of **\$1,830.00**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge